

## **Indiana Regulatory Occupations Evaluation Committee Minutes of the January 25, 2012 Committee Meeting**

### **Call to Order & Establishment of Quorum**

The Regulatory Occupations Evaluation Committee (ROEC) meeting was called to order on Wednesday, January 25<sup>th</sup> in the Government Center South Room W064 at 9:00 a.m.

Committee members present:

- Barry Boudreaux
- Frances Kelly, Acting Committee Chair
- Gabrielle Owens (Representing Dave Miller)
- Sally Spiers
- Rita Springer

IPLA staff members present:

- Gale Albright
- Marty Allain
- Lisa Bentley
- Jeanette Roberts
- Kristen Kelley

### **Review of Minutes of December 7<sup>th</sup>, 2011 meeting**

The December 7<sup>th</sup>, 2011 minutes were reviewed and unanimously approved by committee members.

### **Presentation of “Part A & B” Assessment for Real Estate Appraiser Licensure & Certification Board Joe Traynor, Board Member**

Joe Traynor, Board Member of the Real Estate Appraiser Licensure & Certification Board presented a power point (attached hereto as Exhibit A) to the ROEC Committee. Information discussed in that presentation included:

- a. Introduction of REAB Board
- b. Types of Harm & Severity of Harm
- c. Current Regulation and Alternatives
- d. Alternatives to Regulation

- e. Proactive Surveillance
- f. Complaint Process & Nature of Complaints
- g. Effectiveness of Current Regulation – Reduced Consumer Harm
- h. Appropriate Regulatory Mechanism & CE Requirements
- i. Affects of Regulatory System
- j. Adequate Resources/Fees vs. Adequate Regulation
- k. Recommendations

Question: The committee asked Mr. Traynor to further explain the 2015 change requiring a college degree for appraisers.

Response: He responded that the current requirement is for any bachelor's degree, but he foresees that in the years 2020 or 2022 this requirement may become a more degree "specific" contingency.

Question: The committee questioned how to get around the pressure applied to appraisers to "get the number" individuals and/or companies are looking for.

Response: Mr. Traynor replied that the Home Evaluating Code of Conduct (HECC) came about because of this pressure being applied to appraisers. Since HECC's creation appraisers are not experiencing the pressure primarily due to penalties that can now be implemented.

Question: The committee inquired how the board handles positive response from a license applicant.

Response: He explained that the board takes each positive response on a case by case basis and further cited one case where a licensee in his forties broke into a home in his late teens. He explained that there have been no further issues with this individual in over twenty years and the board approved him for licensure.

Question: The committee asked Mr. Traynor to explain what USPAP approval is and who owns or approves this.

Response: Mr. Traynor explained that the Uniform Standard Professional Appraisal Practice (USPAP) is owned by the Appraisal Foundation/Appraisal Standards Board. It is an ongoing process and the document is in continual revision. Ms. Owens interjected that Indiana Law adopts USPAP and that is how the Attorney General is able to charge people for violations.

Question: Mr. Traynor was asked his opinion about fees that are charged for appraisal license companies.

Response: He replied that he feels the fees should be set high enough that only those interested will apply.

Question: The committee inquired about federal licensing.

Response: Mr. Traynor said that this topic comes up often in board discussion, but the general consensus is that states do not typically like to give up control of certification or licensing. He further stated he did not see the states being able to reach an agreement that would satisfy all 50 states.

### **Discussion of House Bill #1006**

The committee discussed HB 1006. Barry Bourdreaux stated that he is still comfortable with the decisions made by the committee despite the opposition to the bill. However, areas they feel they could improve in are getting the report into the hands of the legislators in a timelier manner as well as getting professional support from organizations.

### **Presentation of “Part A & B” Assessment for Physician Assistant Committee** **Steven Jacobs, Board Chairman**

Steve Jacobs, Board Chair of the Physician Assistant Committee presented the following points of interest and discussion during his power point presentation (attached hereto as Exhibit B) to the ROEC Committee:

- a. Introduction of Physician Assistant Committee
- b. Types of Harm & Severity of Harm
- c. Current Regulation and Alternatives
- d. Alternatives to Regulation
- e. Proactive Surveillance
- f. Complaint Process & Nature of Complaints
- g. Effectiveness of Current Regulation – Reduced Consumer Harm
- h. Appropriate Regulatory Mechanism & CE Requirements
- i. Affects of Regulatory System
- j. Adequate Resources/Fees vs. Adequate Regulation
- k. Recommendations

Mr. Jacobs introduced Courtney Doren, Legislative Chair for the Indiana Academy of Physician Assistants, and Liz Rowe from the American Academy of Physician Assistants. He explained to the committee that these individuals are key players in reviewing state law for physician assistants.

- Question: Mr. Jacobs was asked what he feels are the road blocks to legislative changes for PAs.  
 Response: He replied that he feels there is currently a mindset within the legislature that PAs are in competition with physicians instead of someone who helps relieve some of the physicians' burdens.
- Response: Ms. Doren further explained that what is currently before the legislature is to "clean up" the bill involving prescriptive authority. There are some issues that became lost in translation ( i.e. writing a prescription one time in a thirty-day period, physician assistant staffing for emergency rooms, etc.).
- Question: Mr. Jacobs was asked if he feels that there are medical personnel shortages in Indiana.  
 Response: Mr. Jacobs replied that there are some areas within Indiana that have short-fall areas where physician assistants cannot go due to current law. Other states have PAs that can visit rural areas and treat those individuals.
- Question: The committee inquired as to whose responsibility is it for PA charts to be reviewed by physicians.  
 Response: Mr. Jacobs stated that ultimately it is the responsibility of the physician to review the patients charts, but feels that the PA could assist in this area by making sure the charts have been taken into the physician.
- Question: The committee asked if it is common sense that once a PA is licensed he or she should be able to have prescriptive authority, based on the history of the profession and remembering the education and training progression that has taken place with PAs since the 1960s.  
 Response: Mr. Jacobs replied affirmatively.
- Question: The committee asked whether the medical community would support this action.  
 Response: Mr. Jacobs replied that nationally they do.
- Question: Marty Allain asked the committee if they would like for the stakeholders to return during the February 29<sup>th</sup> meeting so they can be involved in the committee's discussion regarding these two boards.  
 Response: The committee stated they would like to have them present.

### **Revision of Review Schedule**

#### **FEBRUARY 29, 2012 – 9am-12pm**

- Findings and Recommendations of the Physician Assistant Committee and the Real Estate Appraiser Licensure & Certification Board

#### **APRIL 18, 2012 – 9am-3pm**

- Physical Therapy Committee – “Part A & B” presentation
- Indiana Athletic Trainers Board – “Part A & B” presentation

**MAY 23, 2012 – 9am-12pm**

- Findings and Recommendations of the Physical Therapy Committee and the Indiana Athletic Trainers Board

**JUNE 20, 2012 – 9am – 2pm**

- Finalize Report to HEALTH FINANCE COMMISSION (due not later than 7/1/2012)

**AUGUST 22, 2012 – 9am-3pm**

- Respiratory Care Committee – “Part A & B” presentation
- Indiana Auctioneer Commission – “Part A & B” presentation

**SEPTEMBER 19, 2012 – 9am-12pm**

- Findings and Recommendations of the Respiratory Care Committee and the Indiana Auctioneer Commission

**OCTOBER 24, 2012 – 9am-3pm**

- Indiana Plumbing Commission – “Part A & B” presentation
- Indiana State Psychology Board – “Part A & B” presentation

**DECEMBER 5, 2012 – 9am-12pm**

- Findings and Recommendations of the Indiana Plumbing Commission and the Indiana State Psychology Board

**Adjournment**

Acting Chairperson Kelly adjourned the meeting at approximately 2:00 p.m.

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Frances Kelly, Acting Chair

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Date

Indiana Regulatory Occupations Evaluation Committee

**Next Scheduled Meeting:**

February 29, 2012

9:00 a.m.

Indiana Government Center South

Conference Center Room W064